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In the Supreme Court of the United States

OCTOBER TERM, 1944

NUMBER 574

THE STATE OF ALABAMA AND PUBLIC SERVICE COMMISSION,
THE STATE OF TENNESSEE AND THE RAILROAD AND PUBLIC
UTILITIES COMMISSION OF THE STATE OF TEN-
NESSEE, COMMONWEALTH OF KENTUCKY AND
RAILROAD COMMISSION OF KENTUCKY,

Appellants

vs.

THE UNITED STATES OF AMERICA, INTERSTATE COMMERCE
COMMISSION AND FRED M. VINSON, ECONOMIC STABIL-
IZATION DIRECTOR, BY CHESTER BOWLES, PRICE
ADMINISTRATOR, ET AL.,

Appellees.

CHARTS TO BE USED IN ORAL ARGUMENT OF LEON
JOUROLMON, JR., COUNSEL FOR STATE OF TENNESSEE,
AND RAILROAD & PUBLIC UTILITIES COMMISSION

WASHINGTON, D. C.

April 23, 1945.

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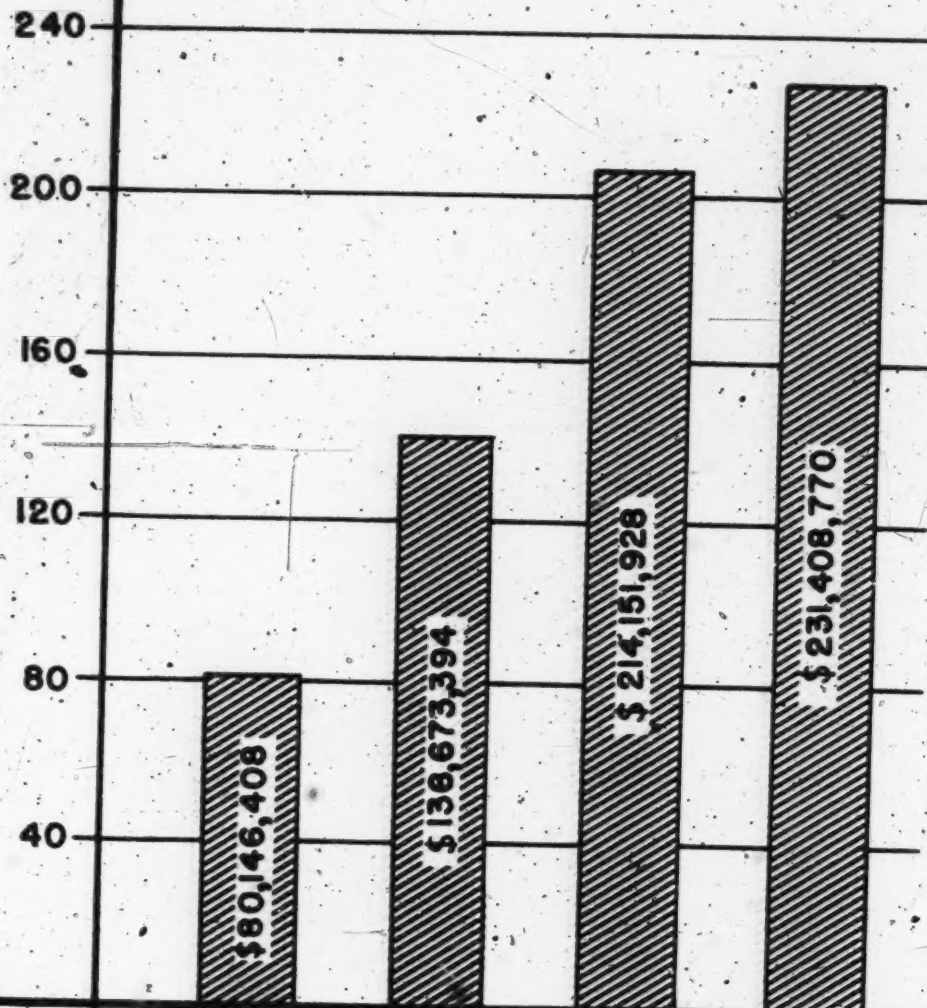
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COMPARISON OF RAILWAY NET
OPERATING INCOME, 1936, 1941, 1942
AND 12 MOS. ENDING AUG. 31, 1943.

CLASS I RAILWAYS
SOUTHERN REGION

MILLIONS OF
DOLLARS



Source:
Carriers' Ex. 6,
343;
Ann. Ex. 11,
403.

1936

1941

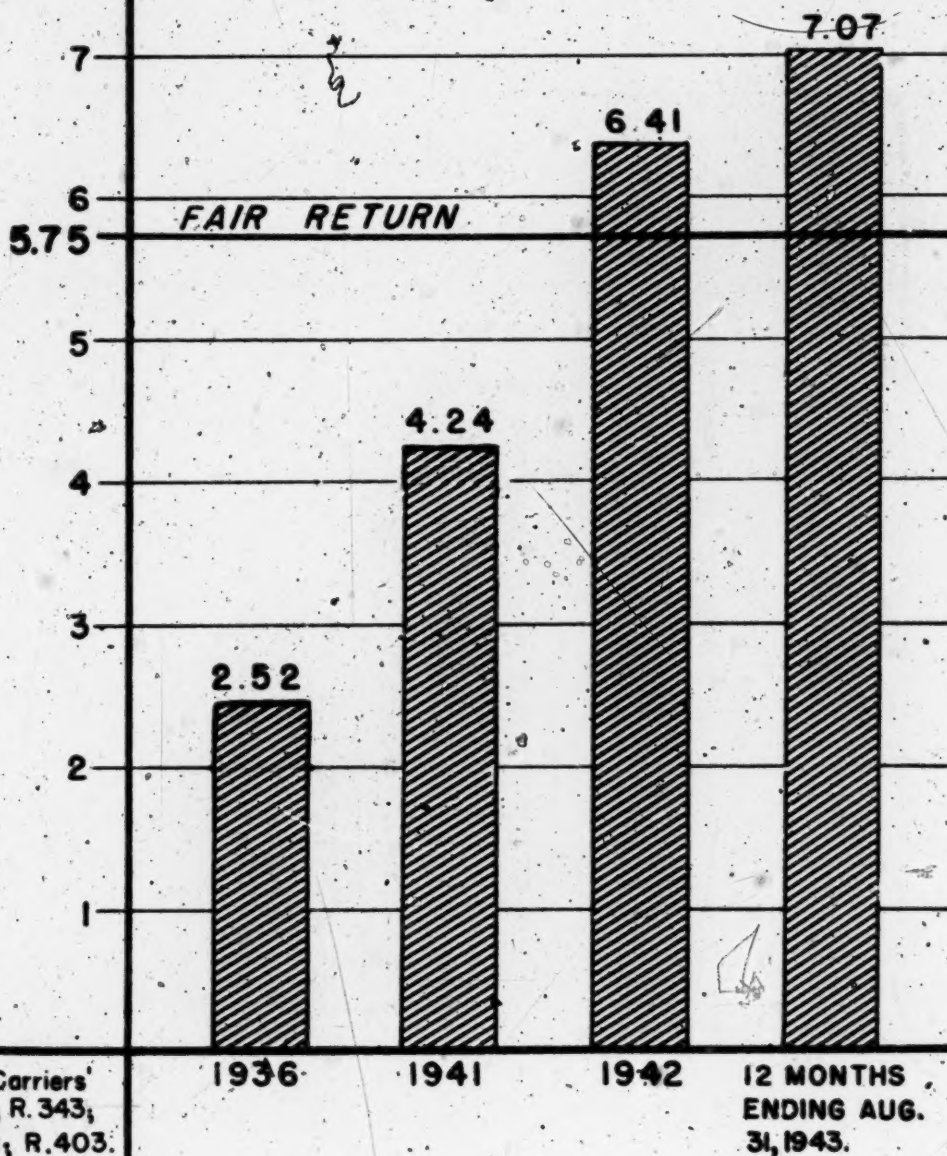
1942

12 MONTHS
ENDING AUG.
31, 1943

**COMPARISON OF RATE OF RETURN
AFTER TAXES, 1936, 1941, 1942 AND
12 MOS. ENDING AUG. 31, 1943**

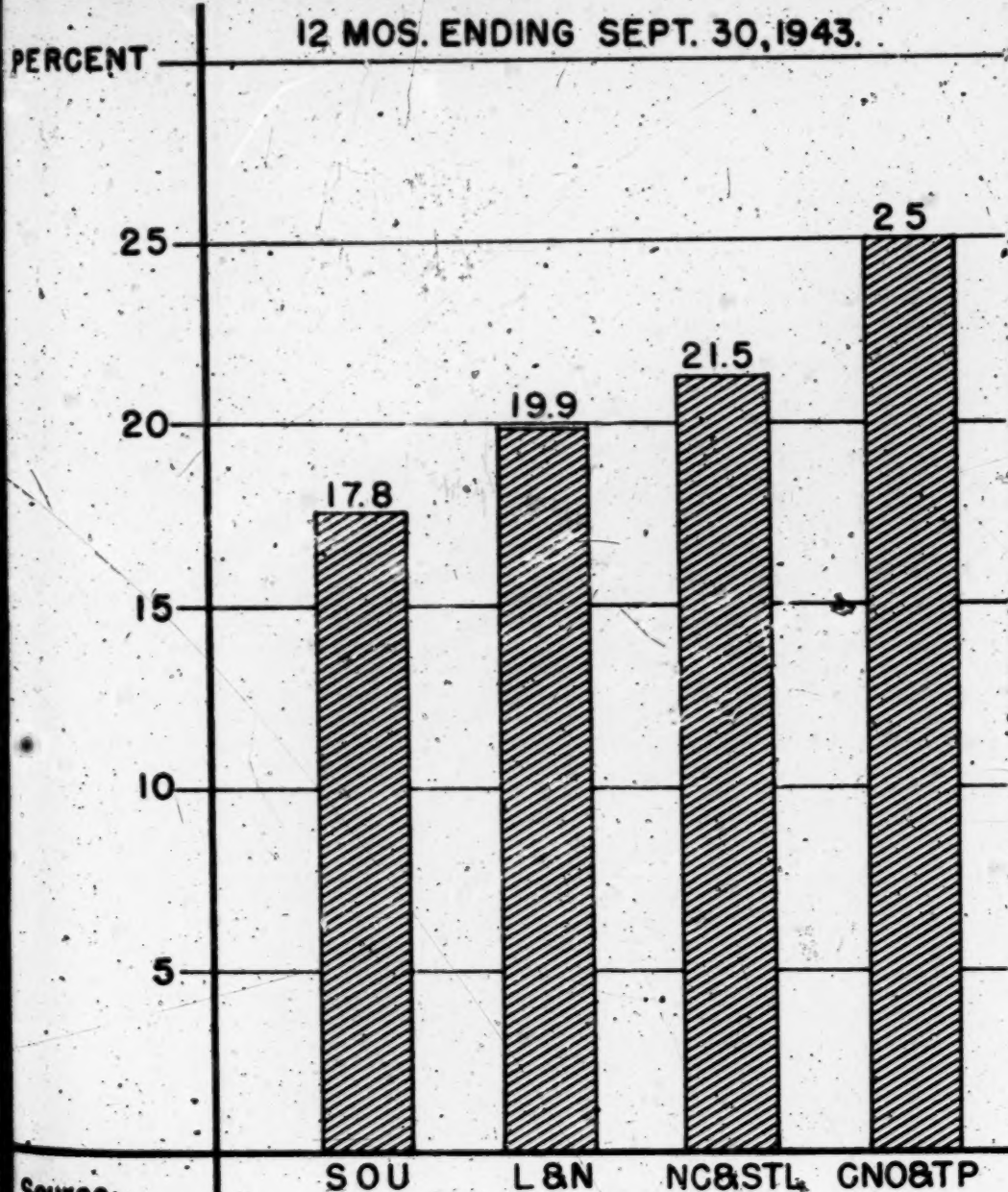
**CLASS I RAILWAYS
SOUTHERN REGION**

PERCENT



Source: Carriers'
Ex. 6, R. 343,
Ann. Ex. II, R. 403.
Fair Return
Found By I.C.C.,
68 I.C.C. 676.

**RATES OF RETURN BEFORE INCOME AND EXCESS
PROFITS TAXES, ON NET BOOK INVESTMENT IN
RAILWAY TRANSPORTATION PROPERTY, PLUS CASH
MATERIALS AND SUPPLIES**



Source:
O.P.A. Ex.15;
R.414.

**COMPARISON OF CAR OCCUPANCY:
REVENUE PASSENGER MILES PER CAR
MILE, 1932, 1936, 1942 AND 8 MOS. OF 1943**

12 TENN. RAILROADS

**REVENUE PASSENGER MILES
PER CAR MILE**

30

20

10



1932



1936



1942



1943
8mo.

Source:
Trillers Ex. 6;
355, 356.

COMPARISON OF PASSENGER MILES PER COACH MILE, 1937 & 1942

II TENNESSEE RAILWAYS

MILES

30

20

10



1937

1942

Source:
Carriers
Ex. 6, R 356

**COMPARISON OF REVENUE PASSENGERS
PER TRAIN MILE 1932, 1936, 1942 AND
8 MOS. 1943**

12 RAILWAYS IN TENNESSEE

PASSENGERS

200

160

120

80

40

26.47

43.24

119.86

189.11

1932

1936

1942

1943

8 mo.

Source:

Carrier Ex. 6;

R. 353, 354

**COMPARISON OF PASSENGER REVENUE
FIRST 8 MOS. OF 1942 & FIRST 8 MOS.
OF 1943.**

**MILLIONS
OF DOLLARS**

**CLASS I RAILWAYS
SOUTHERN REGION**

200

160

120

80

40

95,296,505

185,726,299

**Source:
Tennessee
Ex. II, R. 404.**

**1942
8 mos.**

**1943
8 mos.**

COMPARISON OF REVENUE PER COACH
MILE (OTHER THAN COMMUTATION),
1937 AND 1942

ELEVEN TENN. RAILWAYS

CENTS

50

40

30

20

10



1937

1942

Source:
Carriers Ex. 6,
349.

COMPARISON OF REVENUE PER CAR MILE BY VARIOUS CLASSES OF CARS, 1936, 1937 AND 1942.

12 TENN. RAILWAYS

CENTS

50

40

30

20

10

1936

1942

1936

1942

1937

1942

1937

1942



COACH, SLEEPING, PARLOR & CHAIR CARS



NON-PASSENGER CARRYING CARS, BAGGAGE, MAIL, ETC.



COACHES EXCEPT COMMUTATION

15.43¢

38.21¢

26.72¢

27.71¢

21.35¢

48.36¢

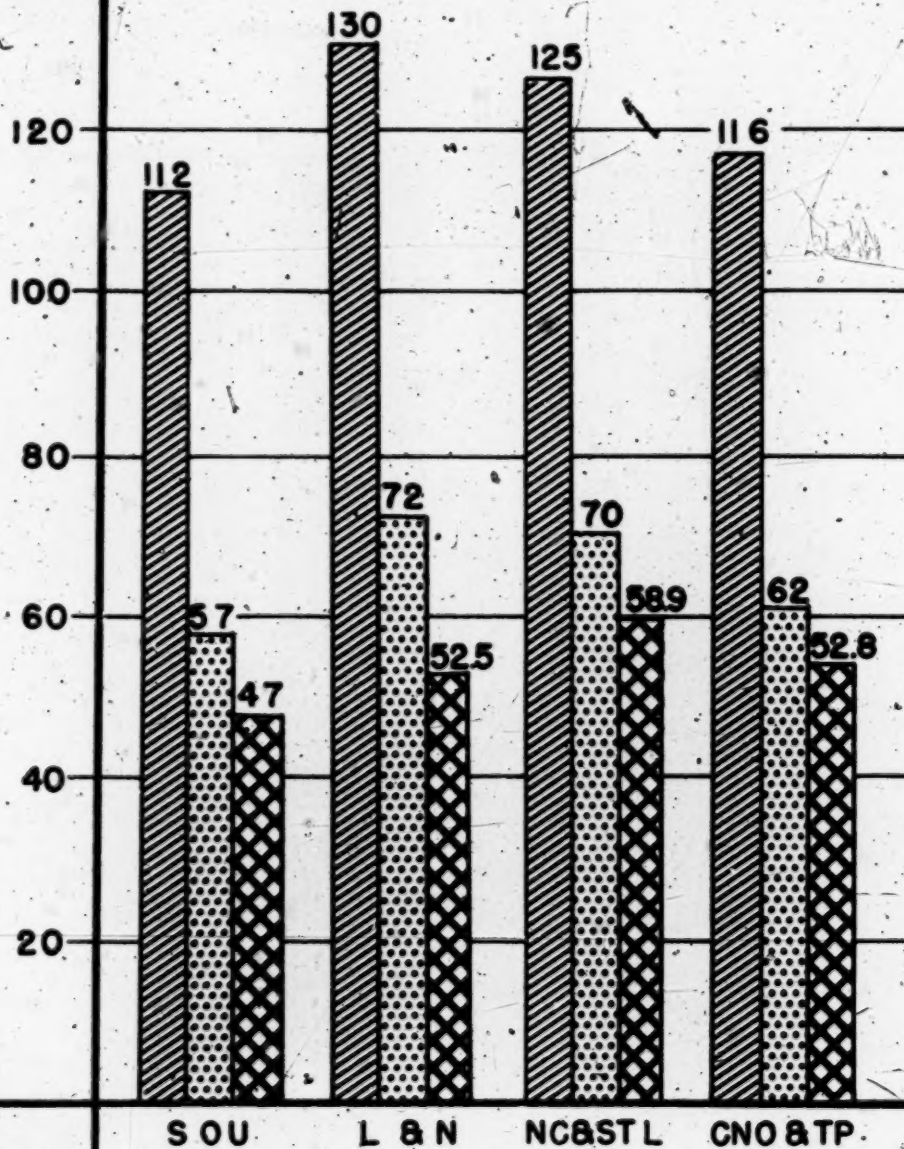
20.94¢

47.47¢

Source:
Carriers' Ex. 6;
347, 348;
349; And 350.

COMPARISON OF PASSENGER OPERATING RATIOS, 1936, 1942, AND FIRST 9 MOS. OF 1943.

PERCENT



Source:
Carriers' Ex. 6;
R. 346; O.P.A.
Ex. 13; R. 411.

KEY



1936



1942



1943 ESTIMATE

COMPARISON OF INTRASTATE COACH PASSENGER FARE WITH COST PER COACH MILE, & AMOUNT AVAILABLE FOR RETURN, 1942

ALL TENNESSEE RAILROADS

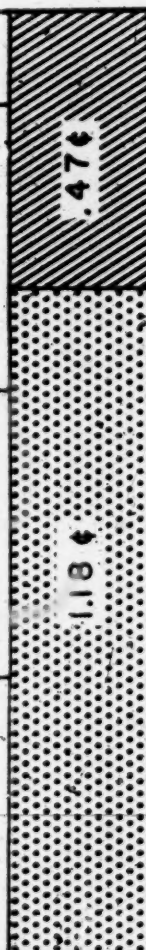
CENTS

165

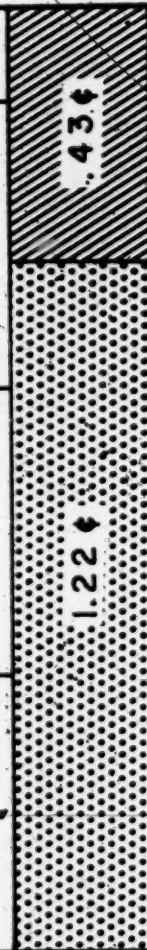
1.1/2

1

1/2



A



B

SOURCE: BASIS 'A':
EXPENSE PER COACH
MILE FOUND BY ICC IN
1932 16¢ 17¢ INCREASED
AT 25% LABOR COST
INCREASE DIVIDED BY
PASSENGERS PER COACH
MILE COMPUTATION FROM
DATA IN CARRIERS EX. 6,
1935-36



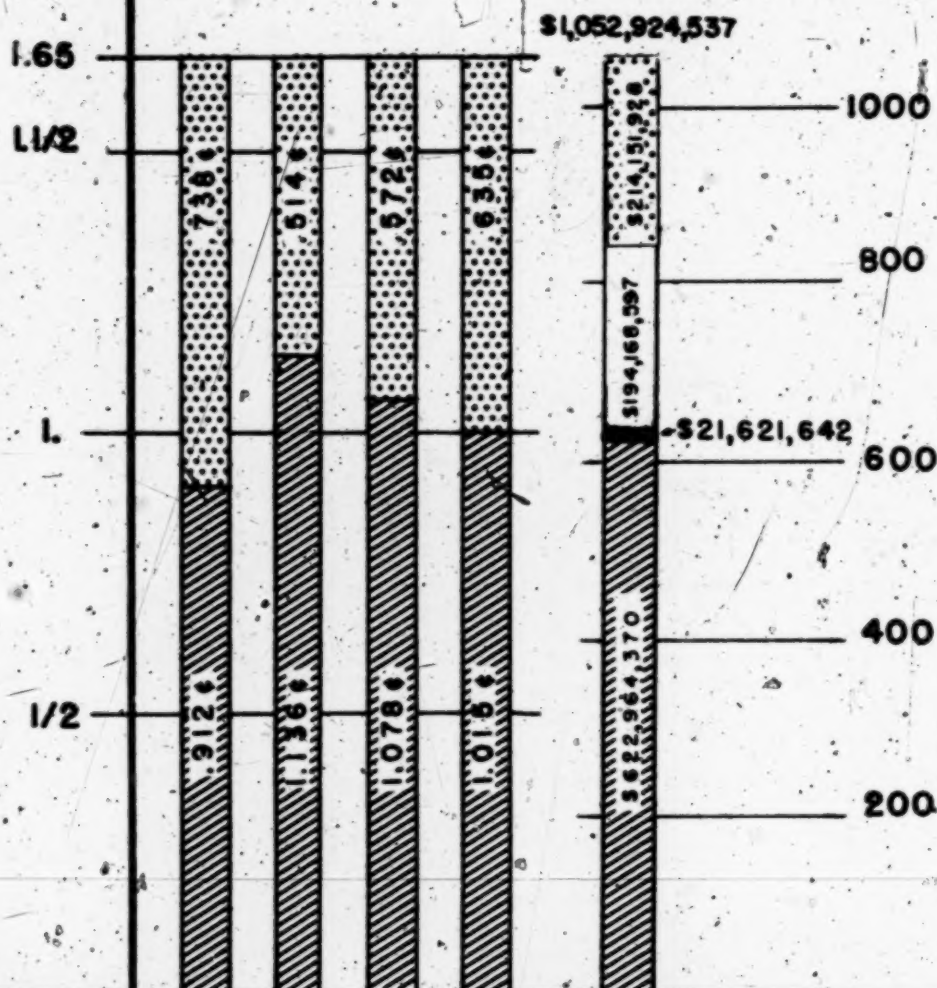
AVAILABLE FOR RETURN & TAXES



COST OR EXPENSE PER COACH MILE

INTRASTATE COACH FARE WITH COST PER COACH-MILE & AMOUNT FOR RETURN, 1942 AND REVENUES, EXPENSES & NET INCOME, CLASS I RYS., SOUTHERN REGION, 1942, ON COMPARATIVE BASIS

CENTS MILLIONS OF DOLLARS

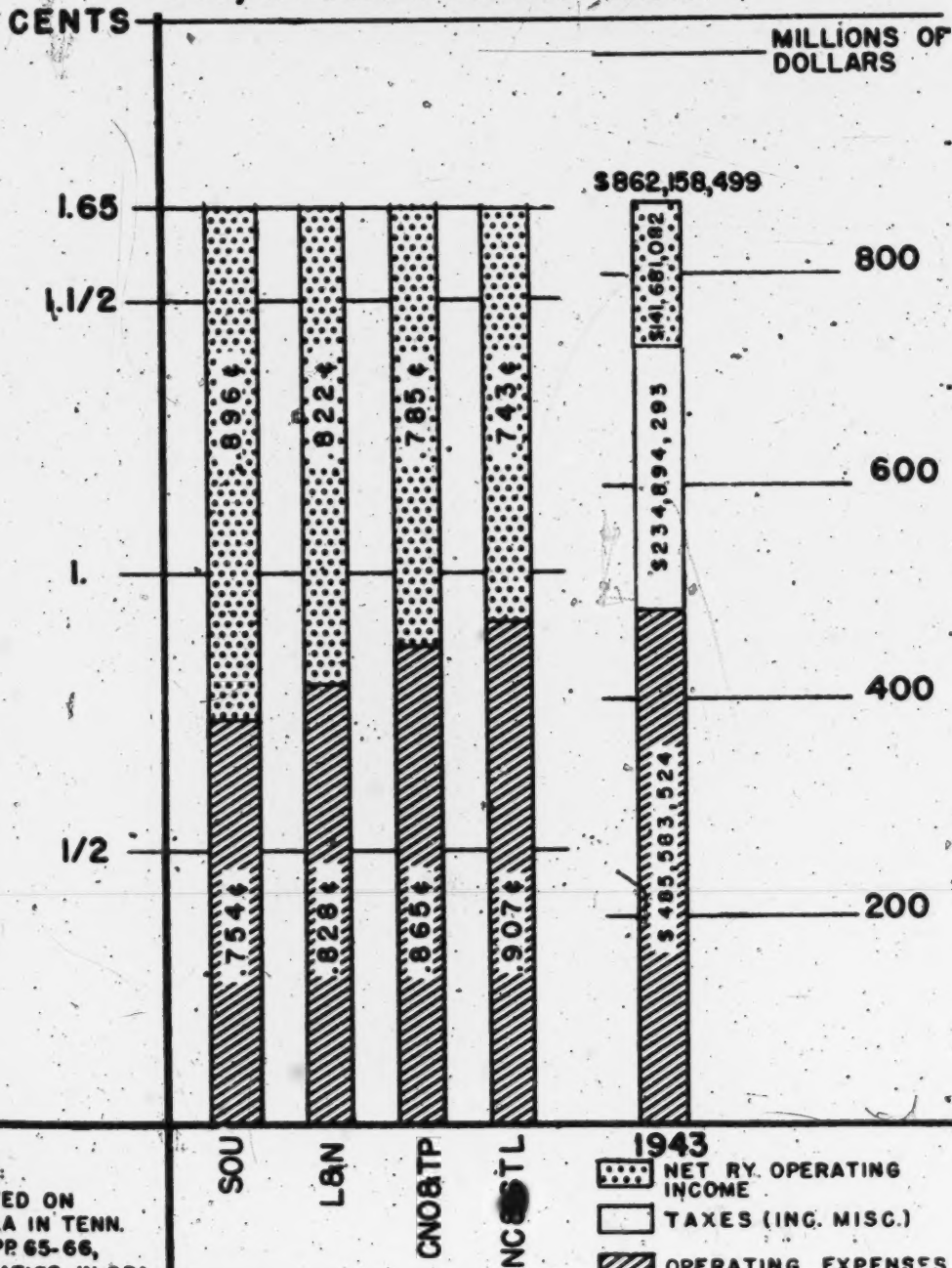


SOURCE:
ITEM B, BRIEF, P. 65,
COMPUTED FROM
DATA IN CARRIERS'
EX. 6, P. 348, 349.
REVENUE COLUMN
FROM CARRIERS'
EX. 6, P. 343.

NOTE:

PROFIT & TAXES
 COST PER COACH MILE
 NET RY. OPERATING INCOME
 TAXES
 MISCELLANEOUS
 OPERATING EXPENSE

**INTRASTATE COACH FARE WITH COST PER
COACH-MILE & AMOUNT FOR RETURN,
AND REVENUES EXPENSES & NET INCOME,
CLASS I RYS., SOUTHERN REGION, 1ST 8 MOS,
1943, ON COMPARATIVE BASIS**



SOURCE:
COMPUTED ON
FORMULA IN TENN.
BRIEF, PP. 65-66,
FROM RATIOS IN QPA
EX. 13, R. 411, APPLIED
TO DATA IN CARRIERS
EX. 6, R. 348, REVENUE
COLUMN FROM TENN.
EX. 2, R. 404

PROFIT & TAXES
COST PER COACH
MILE

NOTE:

THE NET RAILWAY OPERATING INCOME CORRESPONDS TO A

COMPARISON OF COST AND PROFIT PER
COACH-MILE 1943 WITH FARE
PRESCRIBED BY TENN. COMMISSION
AND THAT ORDERED BY FEDERAL
COMMISSION.

CENTS

2.2

2

1.65

1½

1

½

TENN.COMM.FARE.

I.C.C. FARE



PROFIT & TAXES ON PROFITS



COST OF SERVICE

Note: Military coach fare, 1.25¢ (R.279) less than
profit (plus taxes) on civilian fare, 1.3615¢

Source:
Weighted average
cost & return
figures shown on
Report No. 13

1.8115¢

.8385¢

1.3615¢

.8385¢